No. 80-1535
Office-Supreme Court, U.S.
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In The

Supreme Court of the United States

October Term, 1980

DOROTHY J. MORGAN, Individually and GEORGE J. MORGAN and DOROTHY J. MORGAN, as Administrators of the Estate of THOMAS EDWIN MORGAN, Deceased,

Petitioners,

vs.

GLOBAL COMMUNICATIONS, INC.,

Respondent.

SUPPLEMENT TO PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

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To the Honorable, the Chief Justice and the Associate Justices of the Supreme Court of the United States:

The petitioners Dorothy J. Morgan, Individually and George J. Morgan and Dorothy J. Morgan, as Administrators of the Estate of Thomas Edwin Morgan, Deceased, pray that a writ of certiorari issue to review the judgment of the United States Court of Appeals for the Second Circuit entered on December 16, 1980.

JURISDICTION

The judgment sought to be reviewed was entered December 16, 1980. The United States Court of Appeals for the Second Circuit did not render a formal opinion. A copy of the statement and judgment of the Court of Appeals dated October 31, 1980 is included in the appendix to the petition for writ of certiorari.

The Court of Appeals for the Second Circuit wrote in its statement that it would withhold entry of judgment for thirty days within which time the petitioners were given an opportunity to file a remittitur. On November 24, 1980 the petitioners filed in the United States Court of Appeals for the Second Circuit certified copies of remittiturs consenting to a reduction of the verdict in favor of the petitioners to the sum of $100,000 for their son's loss of society and consenting to a reduction of the verdict in favor of the petitioner Dorothy J. Morgan to the sum of $150,000.

The respondent, by a motion dated December 4, 1980, sought an order from the United States Court of Appeals for the Second Circuit for a clarification of the remittitur urging that the Court of Appeals for the Second Circuit had required in its statement that the petitioner Dorothy J. Morgan consent to a reduction of the verdict in her favor to $100,000 to avoid a new trial. On December 16, 1980 the Court of Appeals denied the respondent's motion holding that the consent of the petitioner Dorothy J. Morgan to a reduction of the verdict in her favor to the sum of $150,000 was a correct construction of the court's order.

It was on December 16, 1980 after the Court of Appeals rendered its decision on the respondent's motion for clarification of the remittitur that the court entered the judgment which the petitioners seek to have reviewed.

The statement and judgment of the United States Court of Appeals for the Second Circuit of October 31, 1980 was not entered until December 16, 1980. A certified copy of the general docket of the United States Court of Appeals for the Second Circuit is appended.

Respectfully submitted,

JOHN H. REILLY, JR.

DICKERSON, REILLY
& MULLEN
Attorneys for Petitioners

GENERAL DOCKET ENTRIES

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT
80-7400

Date	Proceedings
5-19-80	Copies of notice of appeal and district court docket entries on behalf of Global Communications, Inc. filed. (80-7400)
5-19-80	Notice of payment on behalf of Global Communications, Inc. filed. (80-7400)
5-23-80	Form C on behalf of Global filed, pfs. (80-7400)
5-23-80	Form D on behalf of Global filed, pfs. (80-7400)
5-29-80	Scheduling order #1 filed PC.
5-29-80	Copies of notice of cross-appeal and district court docket entries on behalf of Dorothy J. Morgan & George J. Morgan filed. (80-7434)
5-29-80	Notice of payment of docket fee on behalf of Morgan filed. (80-7434)
6-3-80	Scheduling order #2 filed.
6-6-80	Form C on behalf of Morgan filed, pfs. (80-7434)
6-6-80	Form D on behalf of Morgan filed, pfs. (80-7434)
6-30-80	Record on appeal filed (original papers of district court)

General Docket Entries

7-2-80	Supplemental record on appeal filed (original papers of district court)
7-11-80	Appellant Morgan brief filed, pfs. (by mail)
7-11-80	Appellant Morgan joint appendix filed, pfs. (by mail)
8-11-80	Appellee Global briefs, pfs. filed.
8-25-80	Appellant Morgan reply briefs, pfs. filed.
10-8-80	Case argued before: Feinberg, Van Graafeiland, CJJ, Holden, DJ.
10-31-80	Judgment affirmed in part and reversed in part by detailed court order; entry of judgment withheld for thirty days.
11-24-80	Certified copy of remittitur filed in tthe district court of $100,000.00 on award to the Morgans under DOHSA filed.
11-24-80	Certified copy of remittitur filed in the district court reducing verdict to $150,000.00 in favor of Dorothy Morgan filed.
12-4-80	Cross-Appellant Global Comm. motion for clarification of remittitur filed (order endorsed: 12/16/80 denied WF, EVG, Holden).

General Docket Entries

12-16-80	Judgment entered
12-16-80	Mandate issued (summary judgment)
1-9-81	Record on appeal returned to district court
1-9-81	Supplemental record returned to district court

A TRUE COPY,

A. Daniel Fusaro, Clerk

by Rolanne Henry
Deputy Clerk